

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
MEDFORD DIVISION

**DENNIS HOOPER,**

Civ. No. 1:13-cv-01400-CL

Plaintiff,

**ORDER**

v.

**DAVID PENKAVA,**

Defendant.

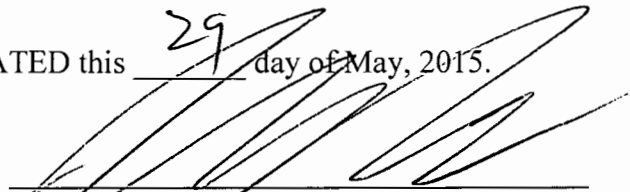
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CLARKE, Magistrate Judge.

On April 8, 2015, the Court held a hearing on the Order to Show Cause, issued on February 26, 2015, and Plaintiff's motion for a new trial (#127), filed on March 9, 2015. Ultimately, the Court dismissed the Order to Show Cause, but deferred ruling on the motion for a new trial pending submission of records concerning the administrative leave of Lt. Clark.

The Court has reviewed these records in camera and is satisfied that his leave, and the internal investigation regarding his conduct in the department, has nothing to do with Plaintiff Hooper's case, nor does it relate in any way to the substance of his claims. Therefore, for the reasons discussed in the Court's previous Order (#132), Plaintiff's motion for a new trial (#127) is DENIED.

IT IS SO ORDERED and DATED this 29 day of May, 2015.



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MARK D. CLARKE  
United States Magistrate Judge